

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF OCTOBER 24, 2003

(Published November 1, 2003, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
October 24, 2003 - 9:30 a.m.

Council President Ostrow in the Chair.

Present - Council Members Goodman, Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, President Ostrow.

Lilligren moved acceptance of the minutes of the regular meeting held 10/10/03. Seconded.

Adopted upon a voice vote.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (269133)

Memorial Blood Center: Preliminary and final approval to issue up to \$680,000 in tax-exempt bonds to refinance a construction loan.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (269134)

Downtown Neighborhood: Approve use of Hennepin County "second 7.5%" funds to support refurbishing of the Gateway Fountain.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (269135)

Contamination Cleanup Grants: Authorize applications for Metropolitan Tax Base Revitalization Account Grants, Minnesota Department of Employment and Economic Development Contamination Cleanup Grant and Hennepin County Environmental Response Fund Grants for various projects.

Development Funding Cycles: Evaluation of process and recommendation regarding discontinuing process.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (269136)

Public Health Advisory Committee: Presentation on roles and functions of the Committee.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (269137)

Airline Industry Dislocation Project of Minnesota: Execute Amendment #4 to Contract with Hennepin County to extend performance period to June 30, 2004 for employees laid off from airlines.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

CIVIL RIGHTS (269138)

Civil Rights Compliance Monitoring Activities: Execute contracts with Minneapolis Park and Recreation Board, Minneapolis Public Library Board and Minneapolis Public Housing Authority to supply monitoring and other contract compliance related activities.

HEALTH AND FAMILY SUPPORT SERVICES (269139)

Covering Kids and Families Project at New Family Center: Accept \$38,750 from Children's Defense Fund to assist new arrival families with immunizations, applications for health insurance and referrals to medical and other community services; and Approve appropriation.

Lead Services: Issue two Request for Proposals for 1) provision of lead outreach, community based blood lead testing, and home lead assessments; and 2) education and outreach services, indoor air quality diagnostics and training of workers, and performance implementation plan.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

ATTORNEY (269140)

Nuisance Violation Ordinances: Ordinance amending Title 11, Chapter 227, Article II of Code relating to Health and Sanitation: Nuisances Generally, Specific Conditions and Activities, prohibiting public urination; Ordinance amending Title 11, Chapter 223, Article IV of Code relating to Health and Sanitation: Drug, Drug Paraphernalia, prohibiting possession of drug paraphernalia in a public place; with attachments.

INSPECTIONS DEPARTMENT (269141)

Safety Sweep Inspections in Como & Marcy-Holmes Neighborhoods: Authorize deploy some housing inspector resource hours to accomplish safety inspections for one to three unit rental buildings.

LICENSES AND CONSUMER SERVICES (269142)

Amie Deli (4300 Bryant Av S): Grant Sidewalk Cafe License.

#1 Veitnamese Restaurant (2218 E Lake St): Supporting documents to Technical Advisory Committee recommendations relating to Restaurant License.

Urban Wildlife Bar & Grill (327 2nd Av N): License Addendum Agreement relating to On-Sale Liquor Class A with Sunday Sales License to prohibit adult entertainment.

Duke's Cars & Towing (2812 University Av SE): Grant Motor Vehicle Repair Garage License, subject to conditions.

POLICE DEPARTMENT (269143)

2003 Local Law Enforcement Block Grant: Convey to federal government the required details relating to the public hearing, including date and number of residents in attendance.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

FIRE DEPARTMENT (269144)

Semi-Annual Fire Department Literature Drop Program: Execute agreement with QUITPLAN to include their stop smoking literature in literature drop program, and to display QUITPLAN logo and stop smoking message on six of the highest use engines on hose covers only; and Approve appropriation.

POLICE DEPARTMENT (269145)

Security at Public Housing Locations: Amend contract with Minneapolis Public Housing Authority to add Community Service Officers to service contract; and Approve appropriation.

RULES (See Rep):

ATTORNEY (269146)

Rules of the City Council: Amendments to Rule 19 relating to public hearing requirement.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (269147)

University of Minnesota Transportation & Regional Growth Study.

Organic Collections from Schools Program: Pilot program with Hennepin County to collect and compost materials from City schools.

Special Service Districts: Set public hearing to consider 2004 services and charges.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (269148)

Water and Sewer Line Repairs: Adopt assessments.

Sidewalk Repair and Construction: Adopt assessments.

Minneapolis Animal Care and Control Facility: Approve Change Order #2 with Rochon Corporation.

New Fire Station #14: Authorize staff to obtain proposals for architectural/design services.

MnDOT/City Highway 35W Drainage Study: Execute agreement with MnDOT for I-35W Tunnel Study and authorize payment of relevant expenses.

Central Av NE Reconstruction Project: Agreement with MnDOT establishing the City as maintenance and electrical provider for the signal systems in the project.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (269149)

E 46th St & Minnehaha Av: Approve funding to modify the parking and curb area to allow for easier Metro Transit bus passage.

Bryn Mawr Streetscape: Authorize use of NRP funds for project and approve amendment to contract with Standard Sidewalk, Inc. to perform the work.

PUBLIC WORKS AND ENGINEERING (269150)

Lyn Lake Municipal Parking Lots: Adopt special assessments.

Midtown Greenway Fence at Calhoun Isles Condominiums: Accept gift from Calhoun Isles Condominium Association for fence, approve project layout and execution of agreement for fence maintenance.

New Central Library Project: Authorize temporary easement agreement with the Minneapolis Library Board to allow tower cranes to swing over City property at the Nicollet Hotel Block.

15th Av SE St Reconstruction Project: Approve project layout, request variance for vertical clearance for an underpass, direction to execute agreements with Burlington Northern and Union Pacific Railroads, negotiate with private property owners to acquire easements, approve a hold harmless agreement with the State of Minnesota.

Replacement of Natural Gas Main in the area of Bryant Av & 7th St: Payment to CenterPoint for replacement costs.

Ewing Bicycle Trail Project (Cedar Lake Trail to France Av S): Agreement with Hennepin County authorizing City cost participation in the trail project.

Water Works Fridley Membrane Filtration Plant: Issue request for proposals seeking engineering services for specialized implementation support services.

WAYS AND MEANS BUDGET:

FINANCE DEPARTMENT (269151)

Self Insurance Fund: CPED and Finance Department proposal to fund the LSGI and Crablex litigation.

Management and Compliance Report Addressing the audit of December 31, 2002.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (269152)

Legal Settlement: Claim of James A. Strickling.

BUSINESS INFORMATION SERVICES (269153)

Enhancing Community Services Grant: Accept grant from the U. S. Department of Justice to fund pilot 311 program to deal with non-emergency police calls.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (269154)

Residential Design and Development Education: Execute contract with University of Minnesota for provision of educational and presentation materials.

FIRE DEPARTMENT (269155)

Building Inspection Initiative: Use of revenue from Convention Center and rig advertising (QUITPLAN) to fund housing inspectors and support position.

Retirement Incentive: Authorize reallocation of Fire Department savings to 2004 to fund a retirement incentive for sworn personnel.

HUMAN RESOURCES (269156)

CPED Director Position: Approve revision to salary to reflect correct points for position.

Waiver to Governor's Salary Cap: Request waiver for Police Chief position.

REGULATORY SERVICES (269157)

Salary Step Increases: Authorize hiring of Patrick E. McMullen (Electrical Inspector), Jerry L. McKenzie (Warm Air Inspector) and Jennifer A. Adams (Plumbing Inspector) at top rate of pay.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (269158)

Appointment of Shan Lee to fill unexpired term of Judith Neiswander.

INSPECTIONS/BOARD OF ADJUSTMENT (269159)

Appeals:

John Sticha (408-8th Ave NE).

PLANNING COMMISSION/DEPARTMENT (269160)

Appeals:

Tim Baylor, for JADT Food Group, LLC (re McDonald's, 900 W Broadway);

George Johnson, for Kowalski's Companies (4414 Humboldt Ave N);

Michael Rosentiel (re Sky Café, 8 N 5th St & Downtown Tobacco, 428 Hennepin Ave);

Steven De Ruyter, for Canal Street Limited Partnership & BHP Company LLC (re Whitney Hotel, 150 Portland Ave S);

Christian Dean, for Standard Mill LLC (re Whitney Hotel, 150 Portland Ave S - see Steven De Ruyter report);

James Bartlett (re Baja Riverside, 1501-07 S 6th St).

Vacations:

Michael Romens (15th St NE, west of Marshall St NE);

Mpls Community Development Agency (re Heritage Park project).

PLANNING COMMISSION/DEPARTMENT (269161)

Rezoning:

Powerderhorn Residents Group (re Village in Phillips, 2406-08 - 17th Ave S);

John & Suzanne Simerson (2972 W River Pkwy);

Oaks Hiawatha Station LLC (4540 & 4544 Snelling Ave S, 3810 E 46th St);

Dan Cheung (4032 Minnehaha Ave).

COMMITTEE OF THE WHOLE:

PUBLIC WORKS AND ENGINEERING (269162)

Sidewalk Assessments: Staff recommendations responding to public hearing comments. (See T&PW report)

WATER DEPARTMENT (269163)

Water Assessments: Staff direction responding to public hearing comments. (See T&PW report)

FILED:

CITY CLERK/SPECIAL PERMITS (269164)

1st Av N, 600 (Target Center) circus animals;

3rd Av S, 2000 (Amtech Lighting) sign;

15th Av S, 3804 (David J. Odenbach) move garage;

Cedar Av S, 309 (Midwest Mountaineering) tents;

Lake St E, 4522 (Sign A Rama) sign;

Marquette Av, Hilton Hotel (Johmar Farms) animals;

The following reports were signed by Mayor Rybak on 10/27/03, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration the issuance of revenue bonds for the Memorial Blood Center to refinance a construction loan for their facilities at 2304 Park Av and having conducted a public hearing thereon, now recommends passage of the accompanying resolution giving preliminary and final approval to the issuance of up to \$680,000 in Tax-exempt City of Minneapolis Revenue Bonds, Series 2003, for Memorial Blood Centers.

Adopted 10/24/03.

Absent - Zimmermann.

Approved by Mayor Rybak 10/24/03.

(Published 10/28/03)

Resolution 2003R-498, giving preliminary and final approval to the issuance of up to \$680,000 in Tax-exempt City of Minneapolis Revenue Bonds, Series 2003, for Memorial Blood Centers, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-498

By Goodman

Giving Preliminary and Final Approval to a Project and its Financing on Behalf of Memorial Blood Centers Under the Minnesota Municipal Industrial Development Act; Authorizing the Issuance and Sale of a Revenue Note; Referring the Project Proposal to the Minnesota Department of Employment and Economic Development for Approval; and Authorizing the Preparation of Necessary Documents.

Whereas, this Council has received a proposal that the City of Minneapolis (the "City") issue its revenue note (the "Note") under Minnesota Statutes, Sections 469.152 to 469.1651 (the "Act") for the purposes of financing a portion or all of the cost of a proposed project (the "Project"), on behalf of Memorial Blood Centers, a Minnesota nonprofit corporation (the "Corporation"), and paying certain costs of issuance of the Note;

Whereas, the Project consists of the refinancing of all or a portion of the Corporation's outstanding loan from Wells Fargo Bank Minnesota National Association, as successor in interest to Marquette Capital Bank, N.A., in the original principal amount of \$750,000, entered into for the purpose of financing improvements, consisting of a laboratory, to the facility of the Corporation located at 2304 Park Avenue in the City;

Whereas, at a public hearing, duly noticed and held on October 14, 2003, in accordance with the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended, on the proposal to undertake and finance the Project, all parties who appeared at the hearing were given an opportunity to express their views with respect to the proposal to undertake and finance the Project, and interested persons were given the opportunity to submit written comments to the City Clerk before the time of the hearing;

Whereas, this Council hereby finds that the issuance and sale of the Note in up to \$680,000 aggregate principal amount, under the authority contained in the Act to finance the Project, would promote the purposes contemplated and described in Section 469.152 of the Act and further promote the public purposes and legislative objectives of the Act and is in the best interest of the City and the City hereby determines to issue and sell such Note;

Whereas, the proceeds of the Bonds will be lent (the "Loan") by the City to Corporation, in order to finance all or a portion of the cost of the Project and to pay certain costs of issuance of the Note;

Whereas, pursuant to a Loan Agreement (the "Loan Agreement"), to be entered into between the City and Corporation, a draft of which has been presented to the Council at this meeting and which has been reviewed to the extent deemed necessary, the Corporation will unconditionally agree to repay the Loan made by the City under the Loan Agreement in specified amounts and at specified times sufficient to make the necessary payments of principal of, premium, if any, and interest on the Note, when due. In addition, the Loan Agreement contains provisions relating to the payment by Corporation of the administrative fee of the City, indemnification, insurance and other agreements and covenants which are required by the Act or which are permitted by the Act and which the City and Corporation deem necessary or desirable for the sale of the Note;

Whereas, the Note, attached as an exhibit to the Loan Agreement, sets the interest rates, maturity dates and redemption provisions for the Note, establishes the various funds and accounts for the deposit and transfer of money and contains other provisions which are required by the Act or which are permitted by the Act and which the City and Corporation deem necessary or desirable in connection with the sale of the Note;

Whereas, pursuant to a Pledge Agreement (the "Pledge Agreement") to be entered into between the City and Wells Fargo Brokerage Services, LLC (the "Purchaser"), a draft of which has been presented to the Council at this meeting and which has been reviewed to the extent deemed necessary, the City assigns and pledges all of its right, title and interest in the Loan Agreement (other than the right of the City to indemnification and payment of administrative expenses) to the Purchaser;

Whereas, the Note will be a special limited obligations of the City payable solely from amounts payable by Corporation under the Loan Agreement, other than to the extent payable from the proceeds of the Note. The Note shall not be payable from or charged upon any funds other than the revenue pledged to the payment thereof, nor shall the City be subject to any liability thereon. No holder or holders of the Note shall ever have the right to compel any exercise of the taxing power of the City to pay the Note or the interest thereon, nor to enforce payment thereof against any property of the City other than the Loan Agreement. The Note shall not constitute a debt of the City within the meaning of any charter, constitutional or statutory limitation;

Whereas, the Note will be purchased from the City by the Purchaser;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That based on the public hearing, written comments (if any) and such other facts and circumstances as this Council deems relevant:

(a) The undertaking of the Project would further the general purposes contemplated and described in Section 469.152 of the Act.

(b) This Council has been advised by representatives of the Corporation that conventional, commercial financing to pay the cost of the Project is available only at such high costs of borrowing that the economic feasibility of operating the Project would be below that resulting from municipal borrowing and its lower borrowing cost.

(c) The City is authorized by the Act to issue its revenue note to pay, purchase or discharge all or any part of the outstanding indebtedness of a contracting party that is a qualifying organization previously incurred in the acquisition or betterment of its existing facilities. The Corporation is a "qualifying organization" within the meaning of Minnesota Statutes, Section 469.155, subdivision 4, principally engaged in health care-related activities.

Be It Further Resolved on the basis of the information given the City to date, it appears that it would be desirable for the City to issue its revenue note under the provisions of the Act to finance the Project in the maximum aggregate face amount of \$680,000, the interest on which will be excludable from gross income under Section 103 of the Code (the Note).

Be It Further Resolved that the issuance of the Note to finance the Project shall be subject to approval of the Project by the Minnesota Department of Employment and Economic Development (the "Department"). The Application to the Department (the "Application"), with attachments, is hereby approved, and the Mayor, Finance Officer and President of the Council or other authorized representatives of the City are authorized to execute said documents on behalf of the City.

Be It Further Resolved that in accordance with Section 469.154, Subdivision 3 of the Act, the Mayor and Finance Officer or other authorized representatives of the City are hereby authorized and directed to cause the Application to be submitted to the Department for approval of the Project. The proper officers, employees and agents of the City are hereby authorized and directed to provide the Department with any preliminary information needed for this purpose and to assist in the preparation of such documents as may be appropriate to the Project, if approved by the Department.

Be It Further Resolved that the City hereby authorizes the issuance of the Note, as a revenue note under the Act, in the aggregate principal amount of up to \$680,000. The Mayor, the City Clerk and the City Finance Officer are hereby authorized to approve the purchase price of the Note, provided that the purchase price equals or exceeds 98% of the principal amount of the Note; the aggregate principal amount of the Note, provided that such principal amount is not in excess of \$680,000; the debt service schedule of the Note, provided that the Final Maturity Date, as defined in the Note, is not more than 30 years from the date of issuance thereof; the provisions for prepayment and redemption of the Note prior to its stated maturity; and the interest rates for the Note, provided that the interest rate on the Note shall not exceed 4.25% per annum. The Note shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City, except the revenues specifically pledged to the payment thereof, and the Note, when, as and if issued, shall recite in substance that the Note, including interest thereon, is payable solely from the revenues and property specifically pledged to the payment thereof, and shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

Be It Further Resolved that the Note shall be executed on behalf of the City by the manual or facsimile signatures of the Mayor, the City Clerk and City Finance Officer, and its corporate seal (which may be in facsimile) shall be thereunto affixed, imprinted or engraved. The Note when executed and delivered shall contain a recital that it is issued pursuant to the Act. The City Finance Officer is hereby designated as authenticating agent pursuant to Minnesota Statutes, Section 475.55. If any of the officers who shall have signed or sealed the Note shall cease to be such officers of the City before the Note so signed and sealed shall have been delivered by the City, the Note nevertheless may be issued and delivered with the same force and effect as though the person or persons who signed or sealed the Note had not ceased to be such officer or officers of the City.

Be It Further Resolved that the Pledge Agreement and the Loan Agreement are hereby made a part of this Resolution as fully as though set forth in full herein and are hereby approved in the form submitted to this meeting, and the Mayor, City Clerk and City Finance Officer are hereby authorized and directed to execute, acknowledge and deliver the Pledge Agreement and the Loan Agreement on behalf of the City with such changes, insertions and omissions therein as do not change the substance of the Pledge Agreement or the Loan Agreement and as may be approved by the Mayor, City Clerk and City Finance Officer, such approval to be evidenced conclusively by their execution of the Pledge Agreement and the Loan Agreement.

Be It Further Resolved that the Mayor, the City Clerk, the City Finance Officer and all other officers of the City are hereby authorized and directed to execute and deliver all other documents which may be required under the terms of the Pledge Agreement or the Loan Agreement, and to take such other action as may be required or appropriate for the performance of the duties imposed thereby or to carry out the purposes thereof.

Be It Further Resolved that in the absence or disability of the Mayor, the City Clerk, the City Finance Officer or any other officer of the City named in any instrument to be executed on behalf of the City in connection with the issuance of the Note, the acting Mayor, Assistant City Clerk, Assistant Finance Officer or other officer may execute such instrument. The execution of any instrument by an officer of the City shall be conclusive evidence of its approval.

Be It Further Resolved that the City Finance Officer is hereby designated for all purposes of the Loan Agreement and the Pledge Agreement as the City official authorized to execute on behalf of the City certificates, requests or consents as provided in the Loan Agreement and the Pledge Agreement.

Be It Further Resolved that the Mayor, City Clerk and other officers of the City are authorized and directed to prepare and furnish to Dorsey & Whitney LLP, bond counsel, the Corporation, and the Purchaser certified copies of all proceedings and records of the City relating to the Project and the Note, and such other affidavits and certificates as may be required to show the facts appearing from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

Be It Further Resolved that the Mayor and City Clerk are directed, if the Note is issued and sold, thereafter to comply with the provisions of Section 469.154, Subdivisions 5 and 7 of the Act.

Be It Further Resolved that the Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 10/24/03.

Absent - Zimmermann.

Approved by Mayor Rybak 10/24/03.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committee submitted the following reports:

Comm Dev & W&M/Budget -Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Hennepin County "second 7.5%" NRP funds in the amount of \$25,000 for the Downtown Neighborhood to support refurbishing the Gateway Fountain, now recommends:

1. Approval of the use of Hennepin County's "second 7.5%" NRP funds for said purpose;
2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$25,000;
3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and
4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petn No. 269134).

Adopted 10/24/03.

Absent - Zimmermann.

Approved by Mayor Rybak 10/24/03.

(Published 10/28/03)

RESOLUTION 2003R-499
By Goodman and Johnson

Amending The 2003 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund CNR0 by \$25,000 from the projected fund balance.

Adopted 10/24/03.

Absent - Zimmermann.
Approved by Mayor Rybak 10/24/03.
(Published 10/28/03)

Comm Dev & W&M/Budget - Your Committee, having under consideration the recommendation of the Executive Director of the Minneapolis Community Development Agency (MCDA) to authorize applications for the following contamination clean-up grants and in the priority order listed:

Metropolitan Tax Base Revitalization Account Contamination Cleanup Grant Requests

Project	Grant Request
Hiawatha Business Center	\$277,550
Greenleaf Lofts on Nicollet	\$ 38,935
Karamu East & West	\$ 50,375
Antiques MN Building	\$200,000
Franklin Lofts	\$115,000
Total Metropolitan Council:	\$681,860

MN Department of Employment and Economic Development Contamination Cleanup Grant Requests

Project	Grant Request
Hiawatha Business Center	\$1,501,250
Greenleaf Lofts on Nicollet	\$ 149,625
Karamu East & West	\$ 290,625
Shoreham Yards (investigation)	\$ 50,000
Wall #2 (SEMI) (investigation)	\$ 50,000
Total MN DEED	\$2,041,500

Hiawatha Business Center and Greenleaf Lofts local matches will come from developer's funds. Karamu East & West local match will come from developer's funds and NRP. Because Shoreham Yards and Wall #2 are investigation funding requests, a local funding match is not required.

Hennepin County Environmental Response Fund Grant Requests

Project	Grant Request
Hiawatha Business Center	\$100,000
Hiawatha Commons	\$ 40,000
Greenleaf Lofts on Nicollet	\$ 75,000
Shoreham Yards	\$ 50,000
Ripley Gardens (Queen Campus)	\$ 52,000
Wall #2 (SEMI)	\$ 25,000
LSS Housing Opportunities	\$ 30,000
Franklin Lofts	\$115,000
Village in Phillips	\$ 55,000
Total Hennepin County ERF	\$542,000;

now recommends:

Comm Dev - that the subject matter be sent forward without recommendation.

W&M/Budget - approval.

Goodman moved to amend the report to approve the Ways & Means/Budget Committee recommendation and to delete the Community Development Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 10/24/03.

Approved by Mayor Rybak 10/24/03.

(Published 10/28/03)

Comm Dev & W&M/Budget - Your Committee, having under consideration the Development Funding Cycle Process and having received a report from Community Planning and Economic Development (CPED) staff evaluating the process, now recommends that the City Council action of October 25, 2002 that authorized implementation of a development funding cycle process be rescinded.

Your Committee further recommends that the proper CPED staff be directed to provide a report to the Community Development Committee when they rank housing revenue bond projects.

Adopted 10/24/03. Yeas, 11; Nay, 1 as follows:

Yeas - Goodman, Samuels, Johnson, Colvin Roy, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Ostrow.

Nays - Lane.

Absent - Zimmermann.

Approved by Mayor Rybak 10/24/03.

(Published 10/28/03)

The **HEALTH & HUMAN SERVICES** Committee submitted the following report:

H&HS - Your Committee recommends that the proper City Officers be authorized to execute Amendment #4 to Contract #C17641 with Hennepin County to extend the performance period to June 30, 2004 to provide services to persons enrolled in the Airline Industry Dislocation Project of Minnesota (AID-MINN), including people laid off from Northwest Airlines, Sun Country, Global Aviation Service, International Total Services and other firms as a result of the 9/11 disaster.

Adopted 10/24/03.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

H&HS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept \$38,750 from the Children's Defense Fund for the Covering Kids and Families Project at the New Family Center to assist with immunizations, applications for health insurance, and referrals to medical and other community services for new arrival families with language and cultural barriers. Further, passage of the accompanying Resolution appropriating \$38,750 to Health and Family Support.

Adopted 10/24/03.

Resolution 2003R-500, appropriating \$38,750 to Health and Family Support for the Covering Kids and Families Project at the New Family Center, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-500
By Johnson Lee and Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health and Family Support Agency in the Grants - Other Fund (060-860-8621) by \$38,750 and increasing the Revenue Source (060-860-8621 - Source 3720) by \$38,750.

Adopted 10/24/03.

H&HS & W&M/Budget - Your Committee, having under consideration the provision of compliance monitoring activities by the Department of Civil Rights, now recommends that the proper City Officers be authorized to execute contracts with the Minneapolis Park and Recreation Board, the Minneapolis Public Library Board, and the Minneapolis Public Housing Authority to supply monitoring and other

contract compliance related activities. Funds generated by said contracts shall be deposited into the Civil Rights Agency (010-300-3010 - Revenue Source 3755). (Petr No 269138)
Adopted 10/24/03.

H&HS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to issue two Request for Proposals (RFP) for the following federally funded lead services:

- a. an RFP for the provision of lead outreach, community based blood lead testing, and home lead assessments through the Department of Health and Family Support.
- b. an RFP for education and outreach services, indoor air quality diagnostics and training of workers, and performance implementation plan through the Environmental Services Division of Regulatory Services.

Adopted 10/24/03.

Approved by Mayor Rybak 10/24/03.

(Published 10/28/03)

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, having under consideration the 2003 United States Department of Justice, Bureau of Justice Assistance, Local Law Enforcement Block Grant, and having held the required public hearing thereon to receive comments on the proposed categories for funding in accordance with the federal guidelines, now recommends that the proper City Officers be directed to convey to the federal government the required details relating to said public hearing, including the date and number of residents in attendance.

Adopted 10/24/03.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 11, Chapter 227, Article II of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Nuisances Generally, Specific Conditions and Activities*, prohibiting public urination, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 10/24/03.

Ordinance 2003-Or-125 amending Title 11, Chapter 227, Article II of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Nuisances Generally, Specific Conditions and Activities*, amending Section 227.180 prohibiting public urination, was passed 10/24/03 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2003-Or-125

By Niziolek

Intro & 1st Reading: 9/26/03

Ref to: PS&RS

2nd Reading: 10/24/03

Amending Title 11, Chapter 227 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Nuisances Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 227 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 227.180 to read as follows:

227.180. Public urination prohibited. Any person who urinates or defecates on any public street, alley, sidewalk or floor of any public building or of any building where the public gathers or has access, or in any other place, whether public or private, where such act could be observed by any member of the public, except in such place that has been designated as a restroom is guilty of a misdemeanor.

Adopted 10/24/03.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 11, Chapter 223, Article IV of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Drug, Drug Paraphernalia*, prohibiting possession of drug paraphernalia in a public place, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 10/24/03.

Ordinance 2003-Or-126 amending Title 11, Chapter 223, Article IV of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Drug, Drug Paraphernalia*, amending Section 223.235 to prohibiting possession of drug paraphernalia in a public place, was passed 10/24/03 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2003-Or-126
By Niziolek

Intro & 1st Reading: 9/26/03

Ref to: PS&RS

2nd Reading: 10/24/03

Amending Title 11, Chapter 223 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Drugs.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 223 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 223.235 to read as follows:

223.235. Possession of drug paraphernalia in a public place prohibited. It is unlawful for any person knowingly or intentionally to use or to possess drug paraphernalia in a public place. As used in this section, "public place" shall include streets, alleys and sidewalks dedicated to public use, and shall also include such parts of buildings and other premises whether publicly or privately owned which are used by the general public or to which the general public is invited commercially, for a fee, or otherwise, or in or on which the general public is permitted without specific invitation. Any violation of this section is a misdemeanor.

Adopted 10/24/03.

PS&RS - Your Committee, having under consideration the application of Amie Deli LLC, dba Amie Deli, 4300 Bryant Av S, for a Sidewalk Cafe License (new proprietor) to expire April 1, 2004, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 10/24/03.

PS&RS - Your Committee, having under consideration the application of Boutique Bar Inc, dba Urban Wildlife Bar & Grill, 327 2nd Av N, for an On-Sale Liquor Class A with Sunday Sales License (upgrade from On-Sale Liquor Class B with Sunday Sales) to expire October 1, 2004, and having held a public hearing thereon, now recommends that said license be granted, subject to the following conditions:

a. the licensee will not allow any activities to occur on its premises which include or involve nude or semi-nude dancing, revealing or inappropriate employee attire, mud wrestling, wet T-shirt contests, employee wrestling with customers or sexually suggestive touching and other similar types of activities, in accordance with the signed license addendum agreement.

b. final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 10/24/03.

Declining to Vote - Benson.

PS&RS - Your Committee, having under consideration the application of Psycho Suzis Motor Lounge LLC, dba Psycho Suzis Motor Lodge, 2519 Marshall St NE, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire July 1, 2004, now recommends that said license be sent forward without recommendation.

Niziolek moved that the report be amended by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be approved". Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 10/24/03.

Declining to Vote - Benson.

PS&RS - Your Committee, having under consideration the application of Great Brakes Inc, dba Great Brakes, 3326 University Av SE, for a Motor Vehicle Repair Garage License to expire September 1, 2004, now recommends that said license be sent forward without recommendation.

Niziolek moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded

Adopted upon a voice vote.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting the application of Duke's Cars & Towing, 2812 University Av SE, for a Motor Vehicle Repair Garage License, subject to conditions.

Adopted 10/24/03.

Resolution 2003R-501, granting the application of Duke's Cars & Towing, 2812 University Av SE, for a Motor Vehicle Repair Garage License, subject to conditions, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-501

By Niziolek

Granting the application of Duke's Cars & Towing, 2812 University Av SE, for a Motor Vehicle Repair Garage License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Cano Duqueiro, dba Duke's Cars & Towing, 2812 University Av SE, for a Motor Vehicle Repair Garage License (new business) to expire September 1, 2004, subject to the following conditions:

a. all motor vehicle repairing shall take place at the site of the licensee's commercial repair garage, 2812 University Av SE. No repairing shall occur at the licensee's residence at 3329 Nicollet Av S.

b. all towing related activities shall initiate and terminate at the licensee's commercial repair garage. No towing related activities shall take place at the licensee's residence, including dispatching from or storage at.

c. the purchasing of junk vehicles for the purpose of repairing and reselling is prohibited. The sale of used motor vehicles without a Used Motor Vehicle Dealers license is prohibited.

d. selling or offering to see more than three vehicles in a 12-month period shall be presumed to be the operation of a business of selling such motor vehicles.

e. placing vehicles on the street for sale is prohibited.

f. storage of vehicles on the street is prohibited. All storage of vehicles waiting for repair or pick up will be in approved parking spaces at the licensee's commercial repair garage.

g. the licensee shall read, understand and abide by the Code of Ordinances governing Motor Vehicle Repair Garages (Chapters 536 and 317), Motor Vehicle Servicing (Towing) (Chapter 349), and Motor Vehicle Sales (Chapter 313).

Adopted 10/24/03.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 10/24/03.

Declining to Vote - Benson.

Resolution 2003R-502, granting applications for Liquor, Wine and Beer Licenses, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-502

By Niziolek

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted:

On-Sale Liquor Class A with Sunday Sales, to expire September 21, 2003

Ukrainian American Community Center, dba Ukrainian American Community Center, 301 Main St NE (temporary expansion of premises with outdoor entertainment for Ukrainian Heritage Day, September 21, 2003, 11:00 a.m. to 5:00 p.m.);

On-Sale Liquor Class C-2 with Sunday Sales, to expire April 1, 2004

Brinda-Heilicher Riverfront Inc, dba Vics Restaurant, 201 Main St SE (upgrade from On-Sale Liquor Class E with Sunday Sales);

On-Sale Liquor Class E with Sunday Sales, to expire October 4, 2003

Urban Entrepreneurs LLC, dba The Independent, 3001 Hennepin Av (temporary expansion of premises for Salsa Fiesta, October 4, 2003, Noon to 4:00 p.m.);

On-Sale Wine Class C-1 with Strong Beer, to expire April 1, 2004

K & K Hospitality LLC, dba Erte, 1304 University Av NE (change in ownership from JNLE LLC);

On-Sale Wine Class E with Strong Beer, to expire April 1, 2004

Guayaquil Restaurant Inc, dba Guayaquil Restaurant, 1526 E Lake St #E (new business);

Manny's Tortas LLC, dba Manny's Tortas, 2700 E Lake St (temporary outdoor entertainment, September 20, 2003, 2:00 p.m. to 8:00 p.m.);

Temporary On-Sale Wine

Perspectives Inc, dba Perspectives Inc, 3381 Gorham Av, St. Louis Park (October 10, 2003, 6:00 p.m. to 10:30 p.m. at Open Book, 1011 Washington Av S; Licensed Facilitator: D'Amico Catering);

De LaSalle High School, dba Oktoberfest, 1 De LaSalle Dr (October 11, 2003, 6:00 p.m. to 11:00 p.m.);

Textile Center of Minnesota, dba Textile Center of Minnesota, 3000 University Av SE (October 18, 2003, 7:00 p.m. to 10:00 p.m.; October 19, 2003, 2:00 p.m. to 5:00 p.m. at 3000 University Av SE);

Temporary On-Sale Beer

De LaSalle High School, dba Oktoberfest, 1 De LaSalle Dr (October 11, 2003, 6:00 p.m. to 11:00 p.m.).

Adopted 10/24/03.

Declining to Vote - Benson.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Business Licenses.

Adopted 10/24/03.

Resolution 2003R-503, granting applications for Business Licenses, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-503

By Niziolek

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of October 24, 2003 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 269142):

Place of Amusement Class B-1; Place of Amusement Class B-2; Check Cashing; Dancing School; Place of Entertainment; Grocery; Food Manufacturer; Restaurant; Short-Term Food Permit; Sidewalk Cafe; Vending Machine; Liquor Catering Services; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class A; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Pet Shop; Plumber; Precious Metal Dealer; Residential Specialty Contractor; Secondhand Goods Class B; Skating Rink - Ice, Roller; Suntanning Facility; Tattooist/Body Piercer; Taxicab Service Company; Taxicab Neighborhood Rideshare; Taxicab Vehicle; Theater Zone I; Tobacco Dealer; and Wrecker of Buildings Class B.

Adopted 10/24/03.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Gambling Licenses.

Adopted 10/24/03.

Resolution 2003R-504, granting applications for Gambling Licenses, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-504

By Niziolek

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Lawful Exempt

University of Minnesota M Club, dba University of Minnesota M Club, 3131 Fernbrook Ln #111, Plymouth (Raffle November 8, 2003 at Hubert Humphrey Metrodome);

Our Lady of Victory Catholic Church, dba Our Lady of Victory Catholic Church, 5155 Emerson Av N (Raffle November 9, 2003 at Parish Hall, 5140 Fremont Av N);

Zonta Club of Minneapolis Service Fund, dba Zonta Club of Minneapolis Service Fund, 5 Sumac Ln, North Oaks (Raffle November 9, 2003 at International Market Square, 275 Market St).

Adopted 10/24/03.

PS&RS - Your Committee recommends passage of the accompanying Resolution approving Technical Advisory Committee recommendations relating to the Restaurant License held by #1 Vietnamese Restaurant, 2218 E Lake St.

Adopted 10/24/03.

Resolution 2003R-505, approving Technical Advisory Committee recommendations relating to the Restaurant License held by #1 Vietnamese Restaurant, 2218 E Lake St, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-505
By Niziolek

Approving Technical Advisory Committee recommendations relating to the Restaurant License held by #1 Vietnamese Restaurant, 2218 E Lake St.

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations after the licensee agreed to forgo a Technical Advisory Committee hearing for violating the Minneapolis Code of Ordinances by operating without a restaurant license, not completing all requirements to be eligible for a restaurant license, failure to maintain the restaurant in a manner that safeguards public health and sanitation, and for lack of knowledge of basic cleaning and comprehension to follow directions for the repairs and maintenance of the establishment; and

Whereas, the licensee has stipulated that the Findings of Fact, Conclusions and Recommendations are true and correct;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following TAC recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

a. all Environmental Health Code violations must be completed and inspected before the restaurant is to re-open.

b. the licensee agrees to pay an administrative fine in the amount of \$1,500, which shall be stayed for a period of one year provided that at any given environmental health inspection no more than three critical and six non-critical violations are cited.

c. the licensee agrees to maintain a contract with a professional pest control operator for weekly applications. Weekly applications will be continued through October 31, 2003 and can be reduced after October 15, 2003 if the professional operator will send a letter to the Environmental Health Department indicating the cockroach infestation is under control and weekly visits are no longer needed.

d. the licensee agrees to hire a professional cleaning service for a thorough cleaning before the restaurant will be allowed to re-open.

e. the licensee must take responsibility to implement and maintain necessary food safety standards. Failure to comply with the provisions of the Minnesota Food and Beverage Code and Minneapolis Ordinances could warrant a revocation of the license. A Certified Food Manager must be present while the restaurant is open. The Certified Food Manager must be able to explain and demonstrate all the Person-in-Charge requirements for the operator of a food establishment in Minnesota.

f. any employee must be able to demonstrate knowledge of food safety at all times.

g. the licensee agrees to pay \$100 per critical violation in excess of three critical violations and \$50 per non-critical violation in excess of six. Three critical and six non-critical violations are considered a passing standard for environmental health standards.

h. the #1 Vietnamese Restaurant will be allowed to re-open their restaurant upon completion of the above noted recommendations.

Adopted 10/24/03.

PS&RS - Your Committee recommends that the proper City Officers be authorized to deploy some housing inspector resource hours to accomplish safety inspections for one to three unit rental buildings in the Como & Marcy-Holmes Neighborhoods. Further, that the inspection initiative shall be accomplished with the least amount of impact on current service levels throughout Housing Districts. (Petr No 269141)

Adopted 10/24/03. Yeas, 7; Nays, 6 as follows:

Yeas - Samuels, Johnson, Schiff, Zerby, Lilligren, Johnson Lee, Ostrow.

Nays - Goodman, Lane, Colvin Roy, Zimmermann, Niziolek, Benson.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute an amendment to the contract with the Minneapolis Public Housing Authority to increase the amount the City will receive for security services by \$90,000 to add Police Department Community Service Officers to the service contract, effective January 1, 2003. Further, passage of the accompanying Resolution appropriating \$90,000 to the Police Department.

Adopted 10/24/03.

Resolution 2003R-506, appropriating \$90,000 to the Police Department to provide security services at the Minneapolis Public Housing Authority, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-506

By Niziolek and Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Police Special Revenue Fund (210-400-E013) by \$90,000.

Adopted 10/24/03.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute a one-year agreement with QUITPLAN whereby the City shall receive \$50,600 for the inclusion of their stop smoking literature in the Fire Department's semi-annual neighborhood literature drop program. Said agreement shall include the QUITPLAN logo and a brief message to be displayed on the rear canvas hose cover of six of the Fire Department's highest use engines. Further, passage of the accompanying Resolution appropriating \$50,600 to the Fire Department.

Adopted 10/24/03.

Resolution 2003R-507, appropriating \$50,600 to the Fire Department to include QUITPLAN's stop smoking literature in the Fire Department's semi-annual neighborhood literature drop program, and to display the QUITPLAN logo on the rear canvas hose covers of six of the Department's highest use engines, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-507

By Niziolek and Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants - Other Fund (060-280-2800) by \$50,600 and increasing the Revenue Source (060-280-2800 - Source 3720) by \$50,600.

Adopted 10/24/03.

The **RULES** Committee submitted the following report:

Rules - Your Committee recommends passage of the accompanying resolution amending Rule 19 of the *Rules of the City Council* relating to a public hearing requirement for appointment or approval of persons to various positions.

Adopted 10/24/03.

Resolution 2003R-508, amending Rule 19 of the *Rules of the City Council* relating to a public hearing requirement for appointment or approval of persons to various positions, was adopted 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-508
By Zerby

Amending Rule 19 of the *Rules of the City Council* relating to a public hearing requirement for appointment or approval of persons to various positions.

Resolved by The City Council of The City of Minneapolis:

That Rule 19 of the *Rules of the City Council* be amended to read as follows:

“Rule 19. Public Hearings - Requirement

A. Appointments or approvals of persons to the following positions shall be made only after a public hearing by the appropriate council committee for which adequate notice has been provided:

City Assessor

City Attorney

City Clerk

City Coordinator

City Engineer

Civil Rights Commission Member

Civil Rights Department Director

Civil Service Commission Member

Civilian Review Authority Member

Community Planning and Economic Development Department Director

Commissioner of Public Health

Fire Chief

Library Board Member

Metropolitan Sports Facilities Commission Member

Planning Commission Member

Police Chief”

Adopted 10/23/03.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee recommends passage of the accompanying Resolution adopting the assessments, levying the assessments and adopting the assessment rolls for water and sewer service line repairs or replacements on the lists of properties set forth in Petn No 269148.

Adopted 10/24/03.

Resolution 2003R-509, adopting the assessments, levying the assessments and adopting the assessment rolls for water and sewer service line repairs or replacements on the lists of properties set forth in Petn No 269148, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-509

By Colvin Roy

Adopting the assessments, levying the assessments and adopting the assessment rolls for water and sewer service line repairs or replacements on the lists of properties set forth in Petn No 269148.

Whereas, a public hearing was held on October 14, 2003 in accordance with Section 509.465 of the Minneapolis Code of Ordinances to consider the proposed assessments as shown on the proposed assessment rolls on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed assessments against the affected properties on the Water Service Line Repair List, dated October 3, 2003 set forth in Petn No 269148 in the total amount of \$540,133 as shown on the proposed assessment roll on file in the Office of the City Clerk be and hereby are adopted and levied;

That the proposed assessments against the affected properties on the Sewer Service Line Repair List, dated October 3, 2003 set forth in Petn No 269148 in the total amount of \$100,644.82 as shown on the proposed assessment roll on file in the Office of the City Clerk be and hereby are adopted and levied.

Be It Further Resolved that the assessments be collected in five (5) successive equal annual principal installments beginning on the 2004 real estate tax statements with interest charged at the rate of 8%.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are adopted and that the City Clerk is hereby directed to transmit certified copies of said assessment rolls to the Hennepin County Auditor.

Adopted 10/24/03.

T&PW - Your Committee recommends passage of the accompanying Resolution adopting the assessments, levying the assessments and adopting the assessment rolls for the repair and construction of public sidewalks on the list of properties set forth in Petn No 269148.

Colvin Roy moved to substitute the following resolution for the above-mentioned resolution. Seconded.

Adopted by voice vote.

The report, with a substitute resolution, was adopted 10/24/03.

Resolution 2003R-510, adopting the assessments, levying the assessments and adopting the assessment rolls for the repair and construction of public sidewalks on the list of properties set forth in Petn No 269148, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-510

By Colvin Roy

Adopting the assessments, levying the assessments and adopting the assessment rolls for the repair and construction of public sidewalks on the list of properties set forth in Petn No 269148.

Whereas, a public hearing was held on October 14, 2003 in accordance with Chapter 8, Sections 12 and 13 of the Minneapolis City Charter to consider the proposed assessments as shown on the proposed assessment rolls on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed assessment for the property identified as 3400 6th St N, Property ID No 10-029-24-22-0137 in the amount of \$424.51 be waived;

That the proposed assessments against the affected properties on the list dated September 17, 2003 set forth in Petn No 269148 in the total amount of \$1,415,558.58 as shown on the proposed assessment rolls on file in the Office of the City Clerk and revised to \$1,415,134.07 as a result of the above reduction, be and hereby are adopted and levied.

Be It Further Resolved that the assessments of more than \$1500 be collected in ten (10) successive equal annual principal installments beginning on the 2004 real estate tax statements with interest.

Be It Further Resolved that the assessments of more than \$150 up to \$1500 be collected in five (5) successive equal annual principal installments beginning on the 2004 real estate tax statements with interest.

Be It Further Resolved that the assessments of \$150 or less be collected in one (1) installment on the 2004 real estate tax statements with interest.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are adopted and that the City Clerk is hereby directed to transmit certified copies of the assessment rolls to the Hennepin County Auditor.

Adopted 10/24/03.

T&PW – Your Committee recommends that the proper City Officers be authorized to execute Change Order No. 2 increasing Contract No. C-19350 with Rochon Corporation by \$96,229 for a new revised contract amount of \$3,472,337.40 for the Minneapolis Animal Care and Control Facility, with no additional appropriation required.

Adopted 10/24/03.

T&PW - Your Committee, having under consideration the new Fire Station No. 14 at 2002 Lowry Av as part of the 2003 Public Safety Initiative Capital Program, now recommends that the proper City Officers be authorized to obtain proposals for architectural/engineering design services for construction of said project.

Colvin Roy moved that the report be postponed. Seconded.

Adopted upon a voice vote.

T&PW - Your Committee, having under consideration the I-35W (Mississippi River to Minnehaha Creek) tunnel flooding solution joint study with Minnesota Department of Transportation (MnDOT), now recommends passage of the accompanying Resolution authorizing the proper City Officers to execute a MnDOT Professional and Technical Services Contract for the I-35W Tunnel Study and authorizing the City Engineer to pay relevant expenses related to said study from the Sewer Construction Capital Agency Fund.

Adopted 10/24/03.

Resolution 2003R-511, approving the execution of a Minnesota Department of Transportation (MnDOT) Professional and Technical Services Contract for the study of flooding problems along I-35W and within the adjacent neighborhoods, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003-511

By Colvin Roy

Approving the execution of a Minnesota Department of Transportation (MnDOT) Professional and Technical Services Contract for the study of flooding problems along I-35W and within the adjacent neighborhoods.

Resolved by The City Council of The City of Minneapolis:

That the proper City Officers be authorized to execute a Minnesota Department of Transportation (MnDOT) Professional and Technical Services Contract for the I-35W Tunnel study.

Be It Further Resolved that the City Engineer be authorized to pay relevant expenses as agreed to in the Professional and Technical Services Contract for the I-35W Tunnel study, State Project No. 2782-281, payable from the Sewer Construction - Capital Agency (7300-932-9322-SW008).

Adopted 10/24/03.

T&PW - Your Committee, having under consideration the Central Av Reconstruction Project from 27th Av NE to 37th Av NE, now recommends that the proper City Officers be authorized to execute an agreement with the Minnesota Department of Transportation establishing the City of Minneapolis as the maintenance and electrical energy provider for the temporary and new signal systems that are to be installed as part of said project.

Adopted 10/24/03.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee, having under consideration the Lyn/Lake Parking Facilities, now recommends passage of the accompanying Resolution adopting the special assessments for payable 2004, levying the special assessments and adopting the assessment roll for the Lyn/Lake Parking Facilities.

Adopted 10/24/03.

Resolution 2003R-512, adopting the special assessments for payable 2004, levying the special assessments and adopting the assessment roll for the Lyn/Lake Parking Facilities, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-512

By Colvin Roy and Johnson

Adopting the special assessments for payable 2004, levying the special assessments and adopting the assessment roll for the Lyn/Lake Parking Facilities.

Whereas, Minnesota Statutes, Section 459.14 (Automobile Parking Facilities) authorizes the City of Minneapolis to acquire property interests, construct parking facilities, operate and maintain parking facilities and finance parking facilities through special assessments levied against benefited properties; and

Whereas, the City of Minneapolis has approved the establishment of parking facilities in the Lyn/Lake area, as more particularly described in Resolutions 98R-129 passed April 24, 1998 and 98R-186 passed May 22, 1998 and in Petn Nos 263708 and 263799 on file in the Office of the City Clerk; and

Whereas, any shortfall gap between parking facilities revenue and parking facilities expenditures is to be assessed to properties benefited by the parking facilities; and

Whereas, the City Engineer has recommended the amount to be specially assessed for payable 2004 to be \$98,652, all as contained in Petn No 269150 on file in the Office of the City Clerk; and

Whereas, a public hearing was held on October 14, 2003 in accordance with Minnesota Statutes, Section 459.14 and Minnesota Statutes, Chapter 429 to consider the proposed special assessments for payable 2004 as shown on the proposed assessment roll on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed special assessments for payable 2004 in the total amount of \$98,652 as on file in the Office of the City Clerk be and hereby are adopted and levied upon the benefited properties.

Be It Further Resolved that the special assessments be collected in one (1) installment on the 2004 real estate tax statements without interest charges.

Be It Further Resolved that the assessment roll as prepared by the City Engineer be and hereby is adopted and that the City Clerk is hereby directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted 10/24/03.

T&PW & W&M/Budget - Your Committee, having under consideration the construction of the Midtown Greenway fence located at Calhoun Isles Condominiums, now recommends the following:

a) Acceptance of a gift from the Calhoun Isles Condominium Association, approximately \$25,000, for the construction of the fence;

b) Approval of layout and construction of the fence on Hennepin County Regional Railroad Authority (HCRRA) property as permitted per City of Minneapolis/Hennepin County Lease Agreement No A09775;

c) That the proper City Officers be authorized to execute an agreement with the Calhoun Isles Condominium Association with the provision that they will be responsible for major repair and replacement costs; and

d) Passage of a Resolution increasing the Capital Improvement Appropriation by \$25,000 and increasing the revenue source by \$25,000.

Adopted 10/24/03.

RESOLUTION 2003R-513
By Colvin Roy and Johnson

Amending The 2003 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the PW-Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9464) by \$25,000 and increasing the revenue source (4100-943-9464 - Source 3845) by \$25,000 for the construction of a fence along the Midtown Greenway.

Adopted 10/24/03.

T&PW & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute a temporary easement, including any necessary future amendments, with the Minneapolis Library Board granting the right to have their tower cranes swing over City property at the Nicollet Hotel block.

Adopted 10/24/03.

Approved by Mayor Rybak 10/24/03.

(Published 10/28/03)

T&PW & W&M/Budget - Your Committee, having under consideration the 15th Avenue SE Street Reconstruction Project, now recommends the following:

- a) Approval of the project layout, revised 9/12/03, for reconstruction of 15th Av SE from 5th St SE to Como Av;
- b) That the proper City Officers be authorized to enter and execute cooperative agreements with the Burlington Northern Santa Fe Railroad and Union Pacific Railroad as necessary to facilitate construction;
- c) That the proper City Officers be authorized to negotiate with private property owners to acquire easements if necessary;
- d) Passage of a Resolution directing the City Engineer to proceed with a formal request for a variance from State Aid for a vertical clearance for an underpass on 15th Av SE under the railroad bridge located between 8th St SE and Rollins Av; and
- e) Passage of a Resolution holding harmless the State of Minnesota from actions that may arise from the reconstruction of MSA 233 15th Avenue Southeast from 5th Street Southeast to Como Avenue Southeast at less than State Aid Standards.

Adopted 10/24/03.

Resolution 2003R-514, directing the City Engineer to proceed with a formal request for a variance from State Aid for a vertical clearance for an underpass on 15th Av SE under the railroad bridge located between 8th St SE and Rollins Av, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-514
By Colvin Roy and Johnson

Directing the City Engineer to proceed with a formal request for a variance from State Aid for a vertical clearance for an underpass on 15th Avenue Southeast under the railroad bridge located between 8th Street Southeast and Rollins Avenue.

Whereas, the City wishes to reconstruct 15th Avenue Southeast from 5th Street Southeast to Como Avenue.

Whereas, Minnesota Department of Transportation (MnDOT) State-Aid Rule 8820.9956 requires a minimum vertical clearance of 14' - 6"; and one of the requirements of the State Variance process is to develop options.

Whereas, this project requires a variance from State Aid for a vertical clearance for an underpass on 15th Avenue Southeast under the railroad bridge located between 8th Street Southeast and Rollins Avenue. Four different options have been explored, considering safety and cost. Of the four, option B is the preferred option, and this option maintains the current vertical clearance and improves the vertical curve sight distance.

Whereas, State-Aid Rules provide that a political subdivision may request a variance from the Rules;
Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby directed to submit to the Commissioner of Transportation a formal request for a variance from (MnDOT) State-Aid Rule 8820.9956 to permit reconstruction of 15th Avenue Southeast from 5th Street Southeast to Como Avenue.

Adopted 10/24/03.

Resolution 2003R-515, holding harmless the State of Minnesota from actions that may arise from the reconstruction of MSA 233 15th Avenue Southeast from 5th Street Southeast to Como Avenue Southeast at less than State Aid Standards, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-515
By Colvin Roy and Johnson

Holding harmless the State of Minnesota from actions that may arise from the reconstruction of MSA 233 15th Avenue Southeast from 5th Street Southeast to Como Avenue Southeast at less than State Aid Standards.

Whereas, the City Engineer has been directed to request a variance from Minnesota Rules, Chapter 8820.9956 for the reconstruction of 15th Avenue Southeast from 5th Street Southeast to Como Avenue Southeast, for vertical clearance from station 25+10.76 to station 26+64.90 of 13'-0" rather than the 14'-6" required by the Rules, and

Whereas, the Commissioner of Transportation may grant said variance;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That it indemnifies, saves and holds harmless the State of Minnesota and all its agents and employees of and from any and all claims, demands, actions, or causes of action arising out of or by reason of granting this variance, the reconstruction of MSA 141-233-006 in any other manner than in accordance with Minnesota Rule 8820.9956 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising as a result of the granting of this variance, contingent upon approval of the variance by the Commissioner of Transportation.

Adopted 10/24/03.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying Resolution amending the 2003 Capital Improvement Appropriation Resolution by increasing the appropriation for the cost of reconstructing the northwest corner on East 46th Street and Minnehaha Avenue, to allow for easier Metro Transit bus passage, which is to be reimbursed by Metro Transit.

Adopted 10/24/03.

RESOLUTION 2003R-516
By Colvin Roy and Johnson

Amending The 2003 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the PW - Paving Permanent Improvement Fund (4100-937-9372) by \$40,000 and increasing the revenue source (4100-937-9372 Source 8015) by \$40,000 for modifications of the northwest corner of East 46th Street and Minnehaha Avenue to be reimbursed by Metro Transit Revenue Fund (4100-937-9372 - Source 3455) by \$40,000.

Adopted 10/24/03.

T&PW & W&M/Budget - Your Committee, having under consideration the permanent replacement of a 16" steel natural gas main that was accidentally damaged by City crews, in the vicinity of Bryant Av and 7th St, now recommends approval of payment in the amount of \$35,437.27 to CenterPoint (Minnegasco) for the work done.

T&PW - Approve.

W&M/Budget - Sent forward without recommendation.

Colvin Roy moved that the report be postponed. Seconded.

Adopted upon a voice vote.

T&PW & W&M/Budget - Your Committee, having under consideration the Ewing Trail Project, now recommends the following:

- a) That the proper City Officers be authorized to enter into an Agreement No PW 35-20-03 with Hennepin County for cost participation in said project;
- b) Authorize expenditure of up to \$25,000 for design and engineering fees for the project out of the Commuter Bicycle Fund; and
- c) Passage of a Resolution increasing the project appropriation.

Adopted 10/24/03.

RESOLUTION 2003R-517
By Colvin Roy and Johnson

Amending The 2003 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the PW - Transportation Capital Agency in the Permanent Improvement Fund (4100-943-9464) by \$25,000 and increasing the revenue source (4100-943-9464 - Source 3845) by \$25,000 for the Ewing Trail Project.

Adopted 10/24/03.

T&PW & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals (RFP) for the implementation support services for the design, construction, and start up of the Minneapolis Water Fridley Membrane Filtration Plant (FMFP), funds are available within the project budget.

Adopted 10/24/03.

T&PW & W&M/Budget - Your Committee, having under consideration the Bryn Mawr Streetscape, now recommends the following:

- a) That the proper City officers be authorized to extend the contract with Standard Sidewalk Inc., (District 2 and District 3) by \$30,500 to be fully reimbursed by Neighborhood Revitalization Program (NRP) funding;
- b) That the proper City Officers be authorized to execute an agreement with Community Planning and Economic Development (CPED) in order to access Phase I NRP funding; and
- c) Passage of a Resolution increasing the project appropriation.

Adopted 10/24/03.

RESOLUTION 2003R-518
By Colvin Roy and Johnson

Amending The 2003 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the PW - Streets & Malls Capital Agency in the Permanent Improvement Projects Fund (4100-937-9390) by \$30,500, for the Sidewalk Capital Budget.

Adopted 10/24/03.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee recommends passage of the accompanying resolution approving a legal settlement with James A. Strickling as recommended by the City Attorney.

Adopted 10/24/03.

Resolution 2003R-519, approving a legal settlement with James A. Strickling, was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-519
By Johnson

Approving legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the recommendation of the City Attorney to settle the claim of James A. Strickling by payment of \$85,000 to Mr. Strickling and his attorney, Willard Wentzel be approved.

Be It Further Resolved that the payment shall be made from the Self Insurance Fund (6900) and the City Attorney is authorized to execute any documents necessary to effectuate the settlement.

Adopted 10/24/03.

W&M/Budget - Your Committee recommends that the City Attorney be directed to review and negotiate for execution a contract with The Regents of the University of Minnesota in the amount of \$48,000 to provide educational and presentation materials regarding residential design and development issues in the City.

Adopted 10/24/03.

W&M/Budget - Your Committee recommends acceptance of \$20,000 donated by Xcel Energy to support the *Mosaic - Celebrating the Arts and Cultures of Minneapolis*, that was held in June and July of 2003; and passage of the accompanying resolution appropriating the donated funds.

Adopted 10/24/03.

RESOLUTION 2003R-520
By Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Planning Department in the Grants - Other Fund (0600-380-3860) in the amount of \$20,000 and increasing the revenue source (0600-380-3860 - Source 3720) by \$20,000.

Adopted 10/24/03.

W&M/Budget - Your Committee recommends that the Operations and Regulatory Services Department be authorized to hire the following individuals at the top (seventh) step rate of pay for positions in the Construction Inspections Services Division:

- a) Jennifer A. Adams, Plumbing Inspector;
- b) Jerry L. McKenzie, Warm Air Inspector;
- c) Patrick E. McMullen, Electrical Inspector.

Adopted 10/24/03.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the Executive Committee to establish the position of Director, Community Planning & Economic Development (CPED) with 825 points (revised from the previously approved 835 points), in Grade 18 of the Appointive Service, with an annual salary range of \$110,400 to \$122,021, effective August 20, 2003. As a result of the Governor's Salary Cap, this position will have a maximum annual salary of \$114,288.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance adopting said salary range.

Adopted 10/24/03. Yeas, 12; Nays, 1 as follows:

Yeas - Goodman, Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Niziolek, Benson, Ostrow.

Nays - Johnson Lee.

Ordinance 2003-Or-127 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel, establishing a revised salary range for the new position of Director, Community Planning and Economic Development, was passed 10/24/03 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2003-Or-127

By Johnson

1st & 2nd Readings: 10/24/03

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)

Effective: August 20, 2003

FLSA	OTC	CLASSIFICATION	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B"	Step D After 3 "C"
E	1	Director, Community Planning and Econ Dev	A	\$110,400	\$116,211	\$119,697	\$122,021

Adopted 10/24/03. Yeas, 12; Nays, 1 as follows:

Yeas - Goodman, Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Niziolek, Benson, Ostrow.

Nays - Johnson Lee.

W&M/Budget - Your Committee, having under consideration the Fire Department proposal to partner with the Regulatory Services Division in providing some housing inspection services and a request that certain Fire Department revenue be allocated to 2004 for the purpose of adding two Housing Inspector positions and one support position to the Fire Department, now recommends that the following revenue be allocated for said initiative:

a) Revenue estimated in the amount of \$106,000 from the Convention Center for the provision of emergency medical and fire watch at public events;

b) Revenue estimated in the amount of \$50,600 from the QUITPLAN contract regarding literature and logo advertisement on fire rigs.

Your Committee further recommends passage of the accompanying resolution appropriating the funds to the Fire Department for carryover in 2004.

Adopted 10/24/03.

RESOLUTION 2003R-521

By Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing appropriation for the Fire Department Agency in the General Fund (0100-280-2800) by \$106,000, to be reappropriated in 2004 to the Fire Department for housing inspection activities.

Adopted 10/24/03.

W&M/Budget - Your Committee recommends authorization to carryover to 2004 funds in the amount of \$302,000 remaining in the 2003 Fire Department personnel budget, to be used to fund the cost of a retirement incentive program for Fire Department sworn personnel who will retire between January 1 and March 31, 2004.

Adopted 10/24/03.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a grant agreement with the U.S. Department of Justice - Office of Community Oriented Policing Services to accept funds in the amount of \$300,000 to be used to develop an operational model for 311 police non-emergency services; and passage of the accompanying resolution appropriating the grant funds.

Adopted 10/24/03.

Declining to vote - Lane.

RESOLUTION 2003R-522

By Johnson

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Information and Technology Services Agency in the Federal Grant Fund (0300-880-8810) in the amount of \$300,000 and increasing the revenue source (0300-880-8810 - Source 3210) by \$300,000.

Adopted 10/24/03.

Declining to vote - Lane.

W&M/Budget - Your Committee, having been informed that the Executive Committee forwarded without recommendation the matter of seeking an exemption from the Governor's Salary Cap for the Police Chief position, now recommends that the City Coordinator be authorized to request that the Minnesota Department of Employee Relations grant an exemption to the Governor's Salary Cap to allow the City to pay up to \$142,000 total compensation per year for the position of Police Chief.

Adopted 10/24/03. Yeas, 7; Nays, 6 as follows:

Yeas - Lane, Samuels, Zerby, Johnson Lee, Niziolek, Benson, Ostrow.

Nays - Goodman, Johnson, Colvin Roy, Zimmermann, Schiff, Lilligren.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee, having under consideration the appeal filed by John Sticha from the decision of the Board of Adjustment denying a variance to increase the maximum permitted size of a detached accessory structure from 676 square feet to 919 square feet to allow an addition to the existing detached accessory structure at 408 - 8th Ave NE, now recommends that said appeal be granted, and that a variance be approved for an increase to 816 square feet, subject to the requirement that the exterior of the garage match in color and materials the exterior of the home on the lot.

Adopted 10/24/03.

Z&P - Your Committee, having under consideration the appeal filed by Tim Baylor, for JADT Food Group, LLC, from the decision of the Planning Commission denying an application for a conditional use permit for 24-hour operation of the McDonald's restaurant at 900 W Broadway, now recommends that said appeal be granted, and that a conditional use permit be approved for extended hours from 4:00 a.m. to 1:00 a.m., with the presence of security personnel from 10:30 p.m. to 1:00 a.m., seven days per week, with no speaker boxes to be in use after 12:00 Midnight or prior to 6:00 a.m.

Samuels moved to amend the report by deleting the language, "with the presence of security personnel from 10:30 p.m. to 1:00 a.m." Seconded.

Adopted. Yeas; 7; Nays, 6 as follows:

Yeas - Goodman, Lane, Samuels, Johnson, Johnson Lee, Benson, Ostrow.

Nays - Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Niziolek.

The report, as amended, was adopted 10/24/03.

Yeas, 10; Nays, 3 as follows:

Yeas - Goodman, Lane, Samuels, Johnson, Colvin Roy, Schiff, Zerby, Johnson Lee, Benson, Ostrow.

Nays - Zimmermann, Lilligren, Niziolek.

Z&P - Your Committee, having under consideration the appeal filed by George Johnson, for Kowalski's Companies, from the decision of the Planning Commission approving, with conditions, a site plan review for Kowalski's Camden Market at 4414 Humboldt Ave N, now recommends that said appeal be granted, and that the condition requiring installation of bollards for closing off alley access be eliminated, and that the zoning code requirement for curbing in order to facilitate site drainage into the landscaped areas be waived.

Adopted 10/24/03.

Z&P - Your Committee, having under consideration the appeal filed by Michael Rosenstiel from the decision of the Planning Commission granting the application of Sky Café, 8 N 5th St and Downtown Tobacco, 428 Hennepin Ave, for a conditional use permit for extended hours of operation, from 7:00 a.m. to 3:00 a.m., Sunday through Thursday, and from 7:00 a.m. to 4:00 a.m. Friday and Saturday, now recommends that said appeal be granted, and the conditional use permit be denied, in accordance with the Findings of Fact prepared by the City Attorney's Office and on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 10/24/03.

Z&P - Your Committee, having under consideration the appeal filed by Steven DeRuyter, for Canal Street Limited Partnership and BHP Company LLC, from the decision of the Planning Commission granting applications of Standard Mill LLC for conditional use permits, a variance, site plan review and minor subdivision for conversion of the Whitney Hotel, 150 Portland Ave S, to 35 condominium units, now recommends that said appeal be denied.

Adopted 10/24/03.

Z&P - Your Committee, having under consideration the appeal filed by Christian Dean, for Standard Mill LLC, from the decision of the Planning Commission approving the site plan review for conversion of the Whitney Hotel, 150 Portland Ave S, to 35 condominium units, subject to a condition that "openings on the river façade are not to be expanded," now recommends that said appeal be granted, and that said be condition eliminated.

Adopted 10/24/03.

Z&P - Your Committee concurs in the recommendation of the Planning Commission in denying the application of Michael Romans (#1415) to vacate 15th St NE, west of Marshall St NE, to create open space between his home and a proposed apartment development, and to adopt the related findings prepared by the Planning Department.

Adopted 10/24/03.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of the Minneapolis Community Development Agency (#1421a-1421t) to vacate property bounded by and inclusive of Emerson Ave N on the east, 10th Ave N on the south, Humboldt Ave N on the West, and a line roughly equivalent to 12th Ave N on the north, and including vacations of some drainage and utility easements outside of this area, i.e. along Gertrude Brown Place, along 8th Ave between Emerson Ave N and Van White Memorial Blvd, along parcel boundaries in the area bounded by 7th St N, Lyndale Ave N, Emerson Ave N, and a line roughly equivalent to 9th Ave N, for the Heritage Park housing development, subject to retention of easement rights, and to adopt the related findings prepared by the Planning Department.

Your Committee further recommends passage of the accompanying resolution vacating said property.

Adopted 10/24/03.

Declining to Vote - Johnson Lee.

Resolution 2003R-523, vacating streets and easements to allow the reconfiguration of streets and the redevelopment of property as part of the Heritage Park project (property bounded by and inclusive of Emerson Ave N on the east, 10th Ave N on the south, Humboldt Ave N on the West, and a line roughly equivalent to 12th Ave N on the north, and including vacations of some drainage and utility easements outside of this area, i.e. along Gertrude Brown Place, along 8th Ave between Emerson Ave N and Van White Memorial Blvd, along parcel boundaries in the area bounded by 7th St N, Lyndale Ave N, Emerson Ave N, and a line roughly equivalent to 9th Ave N), was passed 10/24/03 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2003R-523

By Schiff

Vacating streets and easements to allow the reconfiguration of streets and the redevelopment of property as part of the Heritage Park project.

Resolved by The City Council of The City of Minneapolis:

That the following street segments and easements are hereby vacated:

A. The drainage and utility easements as dedicated in Block 12, Bethune First Addition, according to the recorded plat thereof.

B. The drainage and utility easements as dedicated in Block 13, Bethune First Addition, according to the recorded plat thereof.

C. The drainage and utility easements as dedicated in the walkway adjoining Blocks 13 and 14, Bethune First Addition, according to the recorded plat thereof.

D. That part of the drainage and utility easements as dedicated in Block 14, Bethune First Addition, according to the recorded plat thereof lying southerly of the North 15.0 feet of said Block 14.

E. That part of the drainage and utility easements as dedicated in Outlot A, Bethune First Addition, according to the recorded plat thereof adjoining Block 12 and 13 said Bethune First Addition, adjoining Howell Drive as dedicated in said Bethune First Addition and lying northerly of a line parallel with and distant 30.0 feet northerly of a line described as commencing at the southeast corner of Lot 4, Block 12, said Bethune First Addition; thence northerly along the east line of said Block 4 a distance of 4.23 feet to the point of beginning of the line to be described; thence westerly deflecting to the left 89 degrees 47 minutes 05 seconds a distance of 391.11 feet and there terminating.

F. That part of the drainage and utility easements as dedicated in Outlot A, Bethune First Addition, according to the recorded plat thereof, being that part of the most Southerly 15.0 feet of said Outlot A lying easterly of the southerly extension of the east line of Lot 6, Block 8, said Bethune First Addition and lying northerly of a line parallel with and distant 30.0 feet northerly of a line described as commencing at the southeast corner of Lot 4, Block 12, said Bethune First Addition; thence northerly along the east line of said Lot 4 a distance of 4.23 feet to the point of beginning of the line to be described; thence

westerly deflecting to the left 89 degrees 47 minutes 05 seconds a distance of 391.11 feet; thence southwesterly a distance of 98.82 feet along a tangential curve concave to the south having a radius of 266.00 feet and a central angle of 21 degrees 17 minutes 07 seconds; thence westerly a distance of 117.24 feet along a reverse curve concave to the north having a radius of 315.00 feet and a central angle of 21 degrees 19 minutes 30 seconds and there terminating.

G. That part of the drainage and utility easements as dedicated in Outlot A, Bethune First Addition, according to the recorded plat thereof being that part of the most Easterly 15.0 feet of said Outlot A lying northerly of the westerly extension of the south line of Outlot D, CITY OF MINNEAPOLIS HERITAGE PARK, according to the recorded plat thereof and lying southerly of a line described as beginning at a point on the east line of said Outlot A distant 60.37 feet southerly from the southeast corner of Tract A, REGISTERED LAND SURVEY NO. 1659, according to the recorded plat thereof; thence South 83 degrees 25 minutes 10 seconds West, the east line of said Outlot A has an assumed bearing of South 0 degrees 11 minutes 45 seconds East, a distance of 212.96 feet and there terminating.

H. That part of the drainage and utility easements as dedicated in Outlot A, Bethune First Addition, according to the recorded plat thereof, lying southerly of the south line of the North 22.59 feet of Lot 5, Block 20, GALE'S SECOND ADDITION TO THE CITY OF MINNEAPOLIS and its easterly and westerly extensions, and lying northerly of a line described as beginning at the intersection of the east line of said Outlot A with the westerly extension of the south line of Outlot D, CITY OF MINNEAPOLIS HERITAGE PARK, according to the recorded plat thereof; thence South 89 degrees 30 minutes 59 seconds West, assumed bearing, along said westerly extension 422.89 feet; thence westerly 88.57 feet along a tangential curve concave to the north having a radius of 9,970.0 feet and a central angle of 0 degrees 30 minutes 32 seconds; thence North 89 degrees 58 minutes 29 seconds West, tangent to said curve, 119.87 feet to the east line of Dakota Circle as dedicated in said Bethune First Addition and there terminating. Except that part thereof lying within the East 15.0 feet of said Outlot A.

I. That part of the drainage and utility easements as dedicated in Block 7, Bethune First Addition, according to the recorded plat thereof lying easterly of the West 15.0 feet of said Block 7.

J. That part of the drainage and utility easements as dedicated in Block 6, Bethune First Addition, according to the recorded plat thereof lying westerly of the East 7.0 feet of said Block 6.

K. That part of the drainage and utility easements as dedicated in Block 5, Bethune First Addition, according to the recorded plat thereof lying westerly of the East 22.0 feet of said Block 5.

L. That part of the drainage and utility easement as created by City Resolution No. 90R-263 and recorded as Document No. 2110996 being the West 3.0 feet of the East 25.0 feet of Lots 4 and 5, Block 5, Bethune First Addition, according to the recorded plat thereof.

M. That part of the drainage and utility easement as dedicated in Lot 1, Block 1, NEAR NORTHSIDE RENTAL ADDITION, according to the recorded plat thereof, being that part of the South 3.0 feet of the North 10.0 feet of said Lot 1 lying easterly of the Westerly 10.0 feet of said Lot 1 and lying westerly of the Easterly 10.0 feet of said Lot 1.

N. That part of the drainage and utility easement as dedicated in Lot 1, Block 2, NEAR NORTHSIDE RENTAL 2ND ADDITION, according to the recorded plat thereof, being that part of the Northwesterly 4.0 feet of the Southeasterly 10.0 feet of said Lot 2 lying northeasterly of the Southwesterly 10.0 feet thereof and lying southwesterly of the Northeasterly 10.0 feet of said Lot 2.

O. That part of the drainage and utility easement as dedicated in Lot 1, Block 4, NEAR NORTHSIDE RENTAL 2ND ADDITION, according to the recorded plat thereof, being that part of the Southeasterly 4.0 feet of the Northwesterly 10.0 feet of said Lot 1 lying northeasterly of the prolongation of a line radial to the northwesterly line of said Lot 1 through a point on the northwesterly line thereof distant 83.0 feet northeasterly from the most westerly corner of said Lot 1 and lying southwesterly of the prolongation of a line radial to the northwesterly line of said Lot 1 through a point on the northwesterly line thereof distant 273.0 feet northeasterly from said most westerly corner.

P. The walkway as dedicated with Bethune First Addition lying between Blocks 13 and 14 thereof and lying westerly of the northerly extension of the east line of said Block 13.

Q. That part of Dakota Circle as dedicated in Bethune First Addition, according to the recorded plat thereof, lying southerly of a line described as beginning at the southeast corner of said Dakota Circle; thence westerly along the south line thereof a distance of 65.40 feet; thence northwesterly 67.37 feet along a tangential curve concave to the north having a radius of 380.00 feet and a central angle of 10

degrees 09 minutes 30 seconds; thence northwesterly 56.73 feet along a reverse curve concave to the south having a radius of 320.00 feet and a central angle of 10 degrees 09 minutes 30 seconds; thence westerly, tangent to said curve, a distance of 41.82 feet; thence southwesterly 56.73 feet along a tangential curve concave to the south having a radius of 320.00 feet and a central angle of 10 degrees 09 minutes 30 seconds; thence southwesterly along a reverse curve concave to the north having a radius of 380.00 feet to the south line of said Dakota Circle and there terminating.

R. The part of Dakota Circle as dedicated in Bethune First Addition, according to the recorded plat thereof, lying northerly of a line run parallel with and distant 60.0 feet northerly of a line described as beginning at the southeast corner of said Dakota Circle; thence westerly along the south line thereof a distance of 65.40 feet; thence northwesterly 67.37 feet along a tangential curve concave to the north having a radius of 380.00 feet and a central angle of 10 degrees 09 minutes 30 seconds and there terminating.

S. The drainage and utility easements over, under, across and through Lots 1 through 11, inclusive, Block 1 and Lots 1 through 9, inclusive, Block 2, CECIL NEWMAN PLAZA, according to the recorded plat thereof, as dedicated with said plat.

T. Emerson Avenue as dedicated with GALE'S SECOND ADDITION TO THE CITY OF MINNEAPOLIS, according to the recorded plat thereof lying northerly of westerly extension of the south line of Outlot D, CITY OF MINNEAPOLIS HERITAGE PARK, according to the recorded plat thereof and lying southerly of a line described as beginning at a point on the east line of Outlot A, Bethune First Addition, according to the recorded plat thereof distant 60.37 feet southerly from the southeast corner of Tract A, REGISTERED LAND SURVEY NO. 1659, according to the recorded plat thereof; thence North 83 degrees 25 minutes 10 seconds East, the east line of said Outlot A has an assumed bearing of South 0 degrees 11 minutes 45 seconds East, to the intersection with the northwesterly continuation of the northeasterly line of said Outlot D; thence southeasterly along said northwesterly continuation to the most northerly corner of said Outlot D and there terminating.

Be It Further Resolved that, in recognition of the need to accommodate transfer of utility facilities to new locations, the existing authority of Reliant Energy and the City of Minneapolis, their successors and assigns, shall be continued on a temporary basis as follows, to wit:

As to Reliant Energy: The existing authority for that part of Emerson Avenue North to be vacated herein and which lies between the north line of 11th Avenue North and the southwesterly line of Van White Memorial Boulevard, until December 31, 2004;

As to the City of Minneapolis: The existing authority for that part of Emerson Avenue North to be vacated herein and which lies between the north line of 11th Avenue North and the southwesterly line of Van White Memorial Boulevard, until December 31, 2004.

Be It Further Resolved that the rights reserved to any entity other than the City of Minneapolis shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if these streets and easements had not been vacated.

Adopted 10/24/03.

Declining to Vote - Johnson Lee.

Z&P – Your Committee concurs in the recommendation of the Planning Commission granting the petition of Powderhorn Residents Group to rezone the north 10 feet of property at 2406-08 - 17th Ave S from R2B to the R4 District to readjust the zoning district boundaries with the new parcel lines for the Village in Phillips development, and adopting the related findings prepared by the Planning Department.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 10/24/03.

Ordinance 2003-Or-128, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 2406-08 - 17th Ave S to the R4 District, was passed 10/24/03 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2003-Or-128

By Schiff

1st & 2nd Readings: 10/24/03

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lot 1, Block 3, Gilpatrick's Addition to Minneapolis, being more particularly described as follows: Beginning at a point on the east boundary line of said lot, 54 feet south from the northeast corner of said lot; thence west parallel with the north boundary line of said lot to the west boundary line of said lot; thence south along said line to the southwest corner of said lot; thence east along the south line of said lot to a point 40 feet west from the southeast corner of said lot; thence north at right angles 25 feet; thence east 40 feet to the east boundary line of said lot to a point 25 feet north of the southeast corner of said lot; thence north along said east boundary line to the point of beginning, according to the recorded plat thereof, and situate in Hennepin County, Minnesota (north 10 feet of 2406-08 - 17th Ave S - Plate 21) to the R4 District.

Adopted 10/24/03.

Z&P – Your Committee concurs in the recommendation of the Planning Commission granting the petition of John and Suzanne Simerson to rezone the property at 2972 W River Pkwy from R1 to the R2B District to permit a two-family dwelling and detached garage, and adopting the related findings prepared by the Planning Department.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 10/24/03.

Ordinance 2003-Or-129, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 2972 W River Pkwy to the R2B District, was passed 10/24/03 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2003-Or-129

By Schiff

1st & 2nd Readings: 10/24/03

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lot 14 and that part of Lot 13 lying southerly of a line running from a point in an easterly line thereof a distance of 1-1/2 feet northerly from the most easterly corner thereof to a point in the westerly line thereof a distance of 9 feet northerly from most southerly corner thereof, Dormans Addition to Minneapolis (2972 W River Pkwy - Plate 28) to the R2B District.

Adopted 10/24/03.

Z&P – Your Committee concurs in the recommendation of the Planning Commission granting the petition of Oaks Hiawatha Station, LLC to rezone the property at 4540 and 4544 Snelling Ave S and 3810 E 46th St from R1A and C1 to the OR2 District to permit a mixed-use building with 61 dwelling units, two neighborhood serving retail sales and services, underground and at-grade parking, and adopting the related findings prepared by the Planning Department.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 10/24/03.

Ordinance 2003-Or-130, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 4540 and 4544 Snelling Ave S and 3810 E 46th St to the OR2 District, was passed 10/24/03 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2003-Or-130

By Schiff

1st & 2nd Readings: 10/24/03

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lots 12, 13, 14, 15, 16, 17, Block 2, A.S. Adams' Addition to Minneapolis, Hennepin County, Minnesota (4540 and 4544 Snelling Ave S and 3810 E 46th St - Plate 20) to the OR2 District.
Adopted 10/24/03.

Z&P – Your Committee, having under consideration the recommendation of the Planning Commission to grant the application of Daniel Cheung to rezone the property at 4032 Minnehaha Ave from R1A to the C2 District to permit a parking lot accessory to the building at 4020 Minnehaha Ave, now recommends that the application be forwarded without recommendation.

Schiff moved that the report be deleted, based on the letter received from Dan Cheung withdrawing the application. Seconded.

Adopted upon a voice vote.

Schiff further moved that the Zoning Administrator be directed to accept a new zoning application for the property at 4032 Minnehaha Ave S, and to waive the fees. Seconded.

Adopted upon a voice vote.

Z&P - Your Committee, having under consideration the appeal filed by James Bartlett from the decision of the Planning Commission granting the application of Raul Sacta, dba Baja Riverside, for a variance to reduce the required parking from 128 to 57 spaces for a restaurant banquet room, retail space, coffee shop and accessory parking lot at 1501-07 S 6th St, now recommends that said appeal be forwarded without recommendation.

Schiff moved that the report be deleted, based on the letter received from James Bartlett, appellant, withdrawing the appeal. Seconded.

Adopted upon a voice vote.

Z&P - Your Committee recommends concurrence in the recommendation of the Heritage Preservation Commission (HPC) review committee to appoint Shan Lee, 5520 Pillsbury Ave S, Minneapolis, MN 55419, to the HPC to fill the unexpired term of Judith Neiswander, which expires 6/1/04.

Adopted 10/24/03.

MOTIONS

Johnson introduced the subject matter of an ordinance amending the Minneapolis Code of Ordinances which was given its first reading and referred to the Zoning & Planning Committee (To prohibit sliding overhead doors used to cover storefront business entrances and windows).

Schiff moved to refer the subject matter of a resolution relating to Limited English Proficiency Plan to the Health & Human Services Committee. Seconded.

Adopted upon a voice vote.

NEW BUSINESS

Colvin Roy introduced an Ordinance amending Title 16, Chapter 417 of the Minneapolis Code of Ordinances relating to *Planning and Development: Port Authority*, which was given its first reading and referred to the Transportation & Public Works Committee for a public hearing November 17, 2003 (Relating to the financing of bonds for the Guthrie Project).

Lilligren moved to adjourn.

Adopted upon a voice vote.

Adjourned.

Merry Keefe,
City Clerk.

Created: 10/27/2003
Modified: 10/30/2003
Corrected: 11/12/2003;
12/23/2003